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REVENUE SECRETARIAT

Notification No. RD 463 LRM 75.

Bangalore, dated 28/30th March 1978

In exercise of the powers conferred by Section 137 of the Karnataka Land Reforms Act 1961 (Karnataka Act No. 10 of 1962) the Government of Karnataka hereby make the following Rules, the draft of the rules having been previously published as required by sub-section (1) of the said Section in Notification No. RD 463 LRM 75 (G.S.R. 127) dated 20th April 1977 part IV, Section 2-C (i) of the *Karnataka Gazette* namely :—

RULES

1. Title and commencement.—(1) These rules may be called the Karnataka Land Reforms (2nd Amendment) Rules, 1978.

(2) They shall come into force at once.

2. Substitution of new Form for Form 10.—For Form 10 of the Karnataka Land Reforms Rules, 1974 the following Form shall be substituted, namely :—

Form 10

(See Rule 21)

(Certificate of registration of a tenant as an occupant under Section 55 (1) of the Karnataka Land Reforms Act, 1961).

Whereas the Tribunal.....Taluk has under Sub-Section (4)/(5) of Section 48A of the Karnataka Land Reforms Act, 1961 ordered that Shri ....is entitled to be registered as an occupant of the lands detailed herennder, namely.

District	Taluk	Village	S.No.	Extent in acres	Assessment Rs.	Boundaries

And whereas the Tahsildar/Special Tahsildar..... ..... Taluk has determined under section 48B (1) the amount payable by the tenant Shri.....as premium for the grant of occupancy rights of the above-mentioned land;

And whereas the tenant Shri..... ....has paid into Government Treasury on.....the full premium amount of Rs..... ....in one lumpsum or the first instalment of Rs. 2,000 thereof according to the provisions of the Karnataka Land Reforms Act, 1961 (as amended) due in respect of the lands aforesaid.

Now, therefore, the Tahsildar/Special Tahsildar..... ..... Taluk hereby registers the tenant Sri.....as an occupant of the said land. The registration is granted subject to the provisions hereinafter mentioned and subject also to the regular payment of Land Revenue assessment on the land as fixed under the rules for the time being in force. The registration is also subject to the provisions of the Karnataka Land Reforms Act and Rules as they stand now and as they may be amended from time to time.

(1) Provided that this assessment shall be paid for each revenu year as per rules prescribed in this behalf from time to time under the provisions of the Karnataka Land Revenue Act, 1964 failing which it will be recoverable by coercive process in the manner prescribed by the Karnataka Land Revenue Act and Rules framed there under.

(2) Provided also that this certificate of registration in no way affects the liability of the above said land to such rates, taxes and cesses other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purpose.

(3) Provided also that the said occupant or other lawful owner of the said land shall at all times hereafter at his own expense maintain, in good order, the restrored major and minor tanks of the village with respect to which the customary obligation to maintain is imposed on the said occupant or other lawful owner of the said survey number and shall put up, repair and maintain in good order the boundary marks around and in the said land, failing which it shall be lawful for the State Government after due notice to cause the maintenance work of the said tank in so far as his liability in this behalf exetnds and the repair of the said boundary marks to be

carried out and to recover the cost of such maintenance work and such repair as a revenue demand from the said occupant or other lawful owner.

(4) Provided also that nothing in the certificate of registration contained shall affect the existing easementary or customary rights of the Government or of propreitors of land adjoining or lying near the said land or of the villagers in common in all existing roads and paths and in streams of water running through or bounding the said land.

(5) Provided also that this Certificate of registration shall in no way be considered to grant to or in any way vest in the said occupant any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof all of which are hereby respectively reserved to the State Government subject to the conditions now in force or which may be prescribed in this behalf from time to time & subject to the conditions that the said occupant shall always be allowed to use free of charge any limestone, granite and ordinary minerals other than metals or coal or precious stones which may be found on or under the said land and which may be applied to the bonafide private use of the said occupant and not removed for purposes of sale.

(6) Provided also that the certificate of regisration shall not be considered in any way to grant to or vest in the said occupant the right to sandal trees which are hereby reserved to the State Government except in so far as the rules that are or may be framed in the matter of the grant of bonuses for such trees may permit.

(7) Provided also that the grant shall be subject further generally to the provisions of the Karnataka Land Revenue Act, 1964 and the rules made thereunder or any other law for the time being in force.

(8) Provided also that the failure to cultivate the land personally for three consequtive years shall entail eviction of the occupant unless condoned by the Tahsildar/Special Tahsildar for sufficient reasons and the land will be disposed of under section 77 of Karnataka Land Reforms Act, 1961.

(9) Provided also that the land of which the occupancy has been granted to any person shall not within six years from the date the certificate under section 55 is issued, be transferred by sale, gift, exchange mortgage, lease or assignment; but the land may be partitioned among members of the holder's joint family subject to the condition that no fragment shall be created by any such partition. Any transfer or partition of land in contravention of Land Reforms Law will be invalid. It shall be lawful for the occupant registered